

NHDES

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2900 FAX (603) 271-2456

December 18, 2003



Vasily Popovich
557 Brown Avenue
Manchester, NH 03103

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Notice of Past Violation

Re: 200 Raymond Road, Candia, NH

Dear Mr. Popovich:

The New Hampshire Department of Environmental Services, Waste Management Division ("DES") has documented violations of the New Hampshire Hazardous Waste Rules relative to the proper management of hazardous waste. On April 4, 2003, DES received a complaint alleging that you operated an auto body shop at 200 Raymond Road, Candia, NH ("Site") and then abandoned 48-gallons of paint waste at the Site. By letter dated May 12, 2003, DES requested that you contact DES to discuss Hazardous Waste Complaint number HWC 03-009. On September 29, 2003, you contacted DES at 5:06 p.m. and left a message stating you would attempt to contact DES on September 30, 2003. To date, DES has not received a return telephone call.


This Notice of Past Violation is to inform you that you failed to notify DES prior to conducting hazardous waste activities at the Site and that abandoning the paint waste at the Site constitutes a failure to deliver hazardous waste to an authorized facility. The above referenced violations are on file at DES. The above violations have been addressed by the current Site owner. No further action related to the violations documented in this Notice of Past Violation is required.

This notice is being sent to inform you of the violations and to help you prevent similar violations in the future. Enclosed is a summary that lists the past violations. The corrective action taken by the owner of the Site consisted of obtaining an EPA identification number for the Site and properly disposing of the hazardous waste; specifically the paint waste.

A current copy of the New Hampshire Hazardous Waste Rules can be obtained from DES's website at <http://www.des.state.nh.us/rules/hwrules.pdf>, or by contacting the Public Information Center at (603) 271-2975. A current copy of the New Hampshire hazardous waste statute can be obtained from the State of New Hampshire's website at <http://encourt.state.nh.us/rsa/html/indexes/147-A.html>. Should you decide to re-enter the auto body shop business in New Hampshire, DES expects you to follow all rules and statutes regulating hazardous waste in our state.

If you have any questions regarding this matter, please feel free to contact Cheryl McGary at (603) 271-3899.

Sincerely,


Kenneth W. Marschner
Administrator
Waste Management Programs

CERTIFIED MAIL: 7000 1670 0000 0584 3625

enclosure: Violation Summary

cc: DB/file
Gretchen Rule, DES Legal Unit
Daniel Komisarek, Site Owner

[http:](http://)

TDD Access: Relay H 800-735-2964

Violation Summary

Requirement(s) Cited	Description of Violation and Corrective Action Taken
Env-Wm 504.01(a)	Failure as a generator of hazardous waste to notify DES prior to conducting hazardous waste activities.
Env-Wm 511.01(b)	Failure as a generator of hazardous waste to deliver hazardous waste to a facility authorized under the destination state's rules to handle the hazardous waste.